

# **EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

COMMANDER KENNETH J. WHITWELL:

Plaintiff

v.

REV. EDWARD SMITH

Defendant.

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C.A. No. 05-796-SLR

**AFFIDAVIT OF COMPLIANCE**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being first duly sworn, deposes as follows:

1. I have read and understand the Stipulated Protective Order Governing the Production and Exchange of Confidential Material (the "Protective Order") entered in the above captioned action (the "Action"), a copy of which is attached hereto, and I agree to be bound by it.

2. I affirm that I am qualified under Paragraph 5 of the Protective Order to receive access to the Discovery (as that terms is defined in the Protective Order) identified or otherwise marked as "Confidential".

3. Except as otherwise provided in the Protective Order, I shall use any Discovery that I receive that is identified or otherwise marked "Confidential" solely for the purposes of execution on the judgment obtained in the Action and shall not use such Discovery for any other purpose. I will not disclose or discuss any Discovery that I receive that is identified or otherwise marked "Confidential" to any person, news entity, governmental agency, or other entity except in compliance with the Protective Order and this Affidavit of Compliance.

4. I agree to take all appropriate and necessary precautions to avoid loss or inadvertent disclosure of such Discovery identified or otherwise marked as "Confidential" under the Protective Order.

5. I agree that upon the final termination of the execution of the judgment in the Action, I shall return any Discovery identified or otherwise marked as "Confidential" that may be in my possession or control (including all abstracts, summaries, descriptions, lists, synopses, or other writings reflecting or revealing such information), to the attorney from whom I received such documents and materials. In lieu of return of such documents and materials, I may deliver to the attorney from whom I received such documents or materials an affidavit that such materials have been destroyed.

6. I hereby submit to the jurisdiction of the United States District Court for the District of Delaware for purposes of enforcement of the Protective Order.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2007

\_\_\_\_\_

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public of the State of \_\_\_\_\_.

My commission expires: